

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

PROXENSE, LLC., )  
Plaintiff, )  
v. ) C.A. No. 6:21-cv-00210-ADA  
SAMSUNG ELECTRONICS CO., LTD. and ) **JURY TRIAL DEMANDED**  
SAMSUNG ELECTRONICS AMERICA, )  
INC., )  
Defendants. )

**DECLARATION OF KEVIN HARDY IN SUPPORT OF SAMSUNG'S OPPOSED  
MOTION TO STAY PENDING *EX PARTE* REEXAMINATION**

I, Kevin Hardy, declare as follows:

1. I am an attorney at Quinn Emanuel Urquhart & Sullivan, LLP, counsel of record for Defendant Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. I have personal knowledge of the facts in this declaration and, if called upon to do so, could and would testify competently as to the matters set forth herein.

2. Attached hereto as Exhibit A is a true and correct copy of a Request for *Ex Parte* Reexamination Samsung filed against U.S. Patent No. 8,352,730 on June 8, 2022.

3. Attached hereto as Exhibit B is a true and correct copy of a Request for *Ex Parte* Reexamination Samsung filed against U.S. Patent No. 9,298,905 on June 8, 2022

4. Attached hereto as Exhibit C is a true and correct copy of a Request for *Ex Parte* Reexamination Samsung filed against U.S. Patent No. 10,698,989 on June 8, 2022.

5. Attached hereto as Exhibit D is a true and correct copy of an August 2, 2022 U.S. Patent and Trademark Office action ordering reexamination of U.S. Patent No. 8,352,730.

6. Attached hereto as Exhibit E is a true and correct copy of an August 2, 2022 U.S. Patent and Trademark Office action ordering reexamination of U.S. Patent No. 9,298,905.

7. Attached hereto as Exhibit F is a true and correct copy of an August 2, 2022 U.S. Patent and Trademark Office action ordering reexamination of U.S. Patent No. 10,698,989.

8. Attached hereto as Exhibit G is a true and correct copy of the most recent “ex parte reexamination historical statistics” made available on the USPTO’s website at [https://www.uspto.gov/sites/default/files/documents/ex\\_parte\\_historical\\_stats\\_roll\\_up\\_21Q1.pdf](https://www.uspto.gov/sites/default/files/documents/ex_parte_historical_stats_roll_up_21Q1.pdf) and accessed on August 5, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 8, 2022, at Washington, D.C.

*/s/ Kevin Hardy*  
Kevin Hardy